

KAREN P. HEWITT
United States Attorney
DAVID M. McNEES
Special Assistant U.S. Attorney
California State Bar No. 216612
Federal Office Building
880 Front Street, Room 6293
San Diego, California 92101-8893
Telephone: (619) 557-5979
E-mail: david.mcnees@usdoj.gov

Attorneys for Plaintiff
United States of America

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

\$18,152.00 IN US CURRENCY,

ONE 2002 VOLKSWAGEN JETTA,
BAJA CA LICENSE NO. AHF7024,
VIN# 3VWRV09M92M145274, ITS
TOOLS AND APPURTENANCES,

Defendants.

Civil No.

'08 CV 0577 WQH JMA

EX PARTE MOTION TO APPOINT
THE UNITED STATES MARSHAL
AS CUSTODIAN

COMES NOW the plaintiff, United States of America, and moves this Court for an exception to General Order 273 issued by this Court, that is, for an order appointing the United States Marshal as custodian of the defendants upon execution of the warrant of arrest in rem. In support of this motion, plaintiff states as follows:

1. The United States Marshals office has been staffed with personnel experienced in providing for the management of properties such as the defendants in this case.

2. The United States Marshal has consented to assume responsibility for the protection, maintenance, and safety of the defendants during the period the same remain in custodia legis.

3. The continued custody of the United States Marshal following execution of the warrant of arrest in rem is necessary and in the best interests of the plaintiff in this case, given the nature of the defendants and the expertise within the United States Marshals Service to provide for the management,

FILED

08 MAR 27 PM 2:02

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY:

CP

DEPUTY

CR

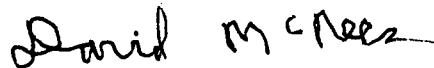
1 protection and preservation of the defendants.

2 4. It is further requested that all reasonable expenditures incurred by the United States
3 Marshal be a first charge against the defendants.

4 WHEREFORE, plaintiff respectfully requests that an exception to General Order No. 273 be
5 granted permitting the appointment of the United States Marshal as custodian of the defendants.

6 DATED: March 27, 2008

7 KAREN P. HEWITT
8 United States Attorney

9 

10 DAVID M. McNEES
11 Special Assistant U.S. Attorney
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28